

JS-44 (Rev. 3/08 RI)

## CIVIL COVER SHEET

**I. (a) PLAINTIFFS**

MARK AHLQUIST, as next friend, parent and guardian of J-- A--, a minor

(b) County of Residence of First Listed Plaintiff Providence  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Lynette Labinger, Roney & Labinger LLP, 344 Wickenden Street, Providence, RI 02903; (401) 421-9794 and  
Thomas R. Bender, Hanson Curran LLP, One Turks Head Place, Suite 550, Providence, RI 02903; (401) 421-2154**DEFENDANTS**

CITY OF CRANSTON, by and through Robert F. Strom, in his capacity as Director of Finance, and by and through the SCHOOL COMMITTEE OF THE CITY OF CRANSTON

County of Residence of First Listed Defendant Providence

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff       3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant       4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
(For Diversity Cases Only)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)**Admiralty**  
 340 Marine (Injury to Seamen)  
 120 Marine (Other)**Admin/Agency Appeals Other**  
 890 Other Statutory Actions (APA Appeals, IDEA Appeals, Other)**Bankruptcy**  
 422 Appeal 28 U.S.C. § 158  
 423 Withdrawal 28 U.S.C. § 157**Banks and Banking**  
 140 Negotiable Instruments  
 430 Banks and Banking  
 875 Customer Challenge to Subpoena (12 U.S.C. § 3410)**Anti-trust**  
 410 Anti-Trust**Construction Contracts**  
 130 Miller Act  
 190 Other Contracts**Securities Law & Stockholder Suits**  
 160 Stockholders' Suits  
 850 Securities/Commodities/Exchange**Other - Business/Comm.** 196 Franchise  
 490 Cable/Satellite TV**Consumer Credit**  
 371 Truth in Lending  
 480 Consumer Credit  
 190 Other Contracts**Constitutional Law**  
 950 Constitutionality of State Statutes  
 440 Other Civil Rights (Constitutionality of Federal Statutes)**Elections and Voting**  
 400 State Reapportionment  
 441 Voting**Other - Civil Rights**  
 440 Other Civil Rights  
 443 Housing/Accommodations  
 444 Welfare  
 446 Americans with Disabilities**Copyright & Trademark (Intellectual Property)**  
 820 Copyright  
 840 Trademark**Employment and Employee Benefits**  
 442 Employment Discrimination  
 445 Americans with Disabilities-Employment  
 440 Other Civil Rights**ERISA**  
 791 Employment Ret. Inc. Security Act**Other Employment Benefits**  
 190 Other Contract  
 442 Other Employment**Environmental Law**  
 893 Environmental Matters**Immigration**  
 462 Naturalization Application  
 463 Habeas Corpus - Alien Detainees  
 465 Other Immigration Actions**Indian Law**  
 890 Other Statutory Actions**Insurance**  
 110 Insurance Contract**Labor and Occupational Safety**  
 660 Occupational Safety/Health  
 710 Fair Labor Standards Act  
 720 Labor/Management Relations  
 730 Labor/Management Reporting and Disclosure Act**Railway Labor Act**  
 790 Other Labor Litigation**Miscellaneous Civil Cases** 150 Recovery of Overpayment and Enforcement of Judgment (Collections)  
 151 Medicare Act  
 152 Recovery of Defaulted Student Loans (excluding Veterans) 153 Recovery of Overpayment of Veterans' Benefits 370 Other Fraud 440 Other Civil Rights (Immigration/Deportation) 450 Commerce 460 Deportation 610 Agriculture 620 Other Food and Drug 625 Drug related seizure of property 630 Liquor Laws 640 Railroad and Truck**Miscellaneous Civil Cases Continued** 650 Airline Regs.  
 690 Other (Forfeiture)  
 690 Other (Health Care)  
 810 Selective Service  
 870 Taxes (U.S. Plaintiff or Defendant)  
 871 IRS-Third Party (26 U.S.C. § 7609)  
 890 Other Statutory Actions  
 891 Agricultural Acts  
 892 Economic Stabilization Act**Patents (Intellectual Property)**  
 894 Energy Allocation Act  
 895 Freedom of Information Act  
 900 Appeal of Fee Determination under Equal Access to Justice Act 830 Patents**Prisoner Petitions**  
 510 Motions to Vacate Sentence (2254)  
 510 Motions to Vacate Sentence (2255)  
 530 General (Habeas)  
 535 Death Penalty  
 540 Mandamus and Other  
 550 Civil Rights (1983)  
 555 Prison Conditions (1983)**Real and Personal Property** 210 Land Condemnation  
 220 Foreclosure  
 230 Rent, Lease and Ejectment  
 240 Torts to Land  
 290 All other Real Property  
 380 Other Personal Property Damage**RICO**  
 470 RICO**Social Security**  
 861 HIA (1395ff)  
 862 Black Lung (923)  
 863 DIWC/DIWW (405(g))  
 864 SSID Title XVI  
 865 RSI (405(g))**Mass Torts**  
 360 Other Personal Injury**Products Liability**  
 195 Contract Product Liability  
 245 Tort Product Liability  
 315 Airplane Product Liability  
 345 Marine Product Liability  
 355 Motor Vehicle Product Liability  
 365 Personal Injury Product Liability  
 385 Property Damage Product Liability**Professional Malpractice**  
 362 Personal Injury - Med. Malpractice**Motor Vehicle Accidents/Slip and Fall**  
 350 Motor Vehicles  
 360 Other Personal Injury**Other Torts and Personal Injury incl. Asbestos cases**  
 360 Other Personal Injury (Fed. Tort Claims Act)  
 310 Airplane  
 320 Assault, Libel and Slander  
 330 Federal Employers' Liability  
 360 Other Personal Injury  
 368 Asbestos Personal Injury

Business and Commercial

CONTINUED ON  
REVERSE SIDE

**V. ORIGIN (Place an "X" In One Box Only)**

- |  |  |   |  |   |  |   |
|--|--|---|--|---|--|---|
| <input checked="" type="checkbox"/> 1<br>Original Proceeding | <input type="checkbox"/> 2<br>Removed from State Court | <input type="checkbox"/> 3<br>Remanded from Appellate Court | <input type="checkbox"/> 4<br>Reinstated or Reopened | <input type="checkbox"/> 5<br>Transferred from another district (Specify) _____ | <input type="checkbox"/> 6<br>Multidistrict Litigation | <input type="checkbox"/> 7<br>Appeal to District Judge From Magistrate Judgment |
|--|--|---|--|---|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. §§ 1983, 1st and 14th Amendments to the United States Constitution

**VI. CAUSE OF ACTION**

Brief description of cause:

This is an action for declaratory and injunctive relief and for damages for denial of rights protected by the 1st and 14th Amendments to the U.S. Constitution and 42 U.S.C. §§ 1983.

**VII. REQUESTED IN COMPLAINT** Check if this is a Class Action Under F.R.C.P. 23

DEMAND \$ \_\_\_\_\_

JURY DEMAND:  Yes  No  
(Check YES only if demanded in complaint)**VIII. RELATED CASE(S)  
IF ANY**

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

04/04/2011

Date

/s/ Lynette Labinger

Signature of Attorney of Record

**INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44**  
Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. NATURE OF SUIT: Place an X in the appropriate box. Make sure to select the Nature of Suit from the category which best describes the primary cause of action found in your complaint. You must select only one nature of suit.
- VIII. RELATED CASES, IF ANY: This section of the JS-44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

FOR OFFICE USE ONLY

Receipt # \_\_\_\_\_ Amount \_\_\_\_\_ Applying IPF \_\_\_\_\_ Judge \_\_\_\_\_ Mag. Judge \_\_\_\_\_